

110TH CONGRESS
1ST SESSION

S. 971

To establish the National Institute of Food and Agriculture, to provide funding for the support of fundamental agricultural research of the highest quality, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 22, 2007

Mr. BOND (for himself, Mr. HARKIN, Mr. LUGAR, and Mr. NELSON of Nebraska) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To establish the National Institute of Food and Agriculture, to provide funding for the support of fundamental agricultural research of the highest quality, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Institute of
5 Food and Agriculture Act of 2007”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress finds that—

1 (1) the task force established under section
2 7404 of the Farm Security and Rural Investment
3 Act of 2002 (7 U.S.C. 3101 note; 116 Stat. 457)—

4 (A) conducted an exhaustive review of agri-
5 cultural research in the United States; and

6 (B) evaluated the merits of establishing 1
7 or more national institutes focused on dis-
8 ciplines important to the progress of food and
9 agricultural science;

10 (2) according to findings and recommendations
11 provided to Congress by the task force—

12 (A) agriculture in the United States faces
13 critical challenges, including impending crises in
14 the food, agricultural, and natural resource sys-
15 tems of the United States;

16 (B) exotic diseases and pests threaten
17 crops and livestock;

18 (C) the United States faces a public health
19 epidemic due to the increasing number of over-
20 weight and obese Americans;

21 (D) agriculturally-related environmental
22 degradation is a serious problem for the United
23 States and other parts of the world;

24 (E) certain animal diseases threaten
25 human health; and

1 (F) agricultural producers in the United
2 States of several primary crops are no longer
3 the world's lowest-cost producers;

4 (3) to meet those critical challenges, it is essen-
5 tial that the United States ensure that the agricul-
6 tural innovation that has been so successful in the
7 past continues in the future;

8 (4) agricultural innovation has resulted in hy-
9 brid and higher-yielding varieties of basic crops and
10 enhanced the global food supply by increasing yields
11 on existing acres;

12 (5) since 1960, the global population has tri-
13 pled, but there has been no net increase in the quan-
14 tity of land in the United States under cultivation;

15 (6) as of the date of enactment of this Act, only
16 1.5 percent of the population of the United States
17 provides food and fiber to partially supply the needs
18 of the United States;

19 (7)(A) agriculture, fundamental agricultural re-
20 search, and fundamental sciences play a major role
21 in maintaining the health and welfare of all people
22 of the United States and maintaining the land and
23 water of the United States; and

24 (B) that role must be expanded;

1 (8) research that leads to understandings of the
2 ways in which cells and organisms function is critical
3 to continued innovation in agriculture in the United
4 States;

5 (9) future innovations developed as a result of
6 those understandings are dependent on fundamental
7 scientific research and would be enhanced by ideas
8 and technologies from other fields of science and re-
9 search;

10 (10) opportunities to advance fundamental
11 knowledge of benefit to agriculture in the United
12 States have never been greater;

13 (11) many of those new opportunities are the
14 result of amazing progress in the life sciences during
15 recent decades, attributable in large part to the pro-
16 vision made by the Federal Government through the
17 National Institutes of Health and the National
18 Science Foundation;

19 (12) new technologies and new concepts have
20 expedited advances in the fields of genetics, cell and
21 molecular biology, and proteomics;

22 (13) much of that scientific knowledge is ready
23 to be used in agriculture and food sciences through
24 a sustained, disciplined research effort at an insti-
25 tute dedicated to conducting that research;

1 (14) publicly-sponsored research is essential to
2 continued agricultural innovation—

3 (A) to mitigate or harmonize the long-term
4 effects of agriculture on the environment;

5 (B) to enhance the long-term sustainability
6 of agriculture; and

7 (C) to improve the public health and wel-
8 fare;

9 (15) competitive, peer-reviewed fundamental ag-
10 ricultural research is best suited to promoting the
11 research from which breakthrough innovations that
12 agriculture and society require will come;

13 (16) it is in the national interest to dedicate ad-
14 ditional funds on a long-term, ongoing basis to an
15 institute dedicated to funding competitive, peer-re-
16 viewed grant programs that support and promote
17 the highest caliber of fundamental agricultural re-
18 search;

19 (17) the capability of the United States to be
20 internationally competitive in agriculture is threat-
21 ened by inadequate investment in research;

22 (18) to be successful over the long term, grant-
23 receiving institutions must be adequately reimbursed
24 for costs of conducting agricultural research if the
25 institutions are to pursue that kind of research; and

1 (19) to meet those challenges, address those
2 needs, and to provide for vitally needed agricultural
3 innovation, it is in the national interest to provide
4 sufficient Federal funds over the long term to fund
5 a significant program of fundamental agricultural
6 research through an independent national institute.

7 (b) PURPOSE.—The purpose of this Act is to estab-
8 lish a national institute—

9 (1) to ensure that the technological superiority
10 of agriculture in the United States effectively serves
11 the people of the United States in the coming dec-
12 ades; and

13 (2) to support and promote fundamental agri-
14 cultural research of the highest caliber to achieve the
15 goals of—

16 (A) increasing the international competi-
17 tiveness of agriculture in the United States;

18 (B) developing foods and expanding knowl-
19 edge to improve diet, nutrition, and health, and
20 to combat obesity;

21 (C) decreasing the dependence of the
22 United States on foreign sources of petroleum
23 by—

24 (i) developing biobased fuels and
25 products;

- 1 (ii) enhancing methods of production
- 2 at biobased fuels refineries;
- 3 (iii) reducing energy consumption at
- 4 biobased fuel refineries; and
- 5 (iv) increasing the use of coproducts
- 6 of biobased fuels production;
- 7 (D) creating new and more useful products
- 8 from plants and animals;
- 9 (E) improving food safety to reduce the in-
- 10 cidence of foodborne illness in the United
- 11 States;
- 12 (F) improving food security by protecting
- 13 plants and animals in the United States from
- 14 insects, diseases, and the threat of bioterrorism;
- 15 (G) enhancing agricultural sustainability;
- 16 (H) improving the environment;
- 17 (I) strengthening the economies of rural
- 18 communities in the United States;
- 19 (J) improving farm profitability and the vi-
- 20 ability and competitiveness of small and mod-
- 21 erate-sized farms;
- 22 (K) strengthening national security by im-
- 23 proving the agricultural productivity of subsist-
- 24 ence farmers in developing countries to combat

1 hunger and the political instability that hunger
2 produces;

3 (L) assisting in modernizing and revital-
4 izing the agricultural research facilities of the
5 United States at institutions of higher edu-
6 cation, independent, nonprofit research institu-
7 tions, and consortia of those institutions,
8 through capital investment; and

9 (M) achieving such other goals, and meet-
10 ing such other needs, as the Secretary or the
11 Institute determines to be appropriate.

12 **SEC. 3. DEFINITIONS.**

13 In this Act:

14 (1) COUNCIL.—The term “Council” means the
15 Standing Council of Advisors established by section
16 4(d)(1).

17 (2) DEPARTMENT.—The term “Department”
18 means the Department of Agriculture.

19 (3) DIRECTOR.—The term “Director” means
20 the Director of the Institute.

21 (4) FUNDAMENTAL AGRICULTURAL RESEARCH;
22 FUNDAMENTAL SCIENCE.—The terms “fundamental
23 agricultural research” and “fundamental science”
24 mean research or science that, as determined by the
25 Secretary—

1 (A) advances the frontiers of knowledge so
2 as to lead to practical results or to further sci-
3 entific discovery; and

4 (B) has an effect on agriculture, food,
5 human health, or another purpose of this Act
6 as described in section 2(b).

7 (5) INSTITUTE.—The term “Institute” means
8 the National Institute of Food and Agriculture es-
9 tablished by section 4(a).

10 (6) MULTIDISCIPLINARY GRANT.—The term
11 “multidisciplinary grant” means a grant provided to
12 2 or more collaborating investigators to carry out co-
13 ordinated, multidisciplinary research programs in-
14 volving multiple disciplines that has been approved
15 by the Institute.

16 (7) PROJECT GRANT.—The term “project
17 grant” means a grant provided to 1 or more prin-
18 cipal investigators to conduct research that has been
19 approved by the Institute.

20 (8) SECRETARY.—The term “Secretary” means
21 the Secretary of Agriculture.

22 (9) STATE.—The term “State” means—

23 (A) each of the several States of the
24 United States;

25 (B) the District of Columbia;

- 1 (C) the Commonwealth of Puerto Rico;
- 2 (D) Guam;
- 3 (E) American Samoa;
- 4 (F) the Commonwealth of the Northern
- 5 Mariana Islands;
- 6 (G) the Federated States of Micronesia;
- 7 (H) the Republic of the Marshall Islands;
- 8 (I) the Republic of Palau; and
- 9 (J) the United States Virgin Islands.

10 (10) UNITED STATES.—The term “United
 11 States”, when used in a geographical sense, means
 12 all of the States.

13 **SEC. 4. ESTABLISHMENT; COMPOSITION.**

14 (a) ESTABLISHMENT.—There is established within
 15 the Department an agency to be known as the “National
 16 Institute of Food and Agriculture”.

17 (b) LOCATION.—The location of the Institute shall be
 18 determined by the Secretary.

19 (c) COMPOSITION.—The Institute shall be composed
 20 of the Council (including committees and offices estab-
 21 lished under section 5) and the Director.

22 (d) STANDING COUNCIL OF ADVISORS.—

23 (1) ESTABLISHMENT.—There is established a
 24 Standing Council of Advisors.

1 (2) COMPOSITION.—The Council shall be com-
2 posed of 25 members, including—

3 (A) the Director; and

4 (B) 24 members appointed by the Sec-
5 retary, with the concurrence of the Director, of
6 whom—

7 (i) 12 members shall be highly-quali-
8 fied scientists who, as determined by the
9 Secretary—

10 (I) are not employees of the Fed-
11 eral Government;

12 (II)(aa) have expertise in the
13 fields of agricultural research, science,
14 food and nutrition, or related appro-
15 priate fields; and

16 (bb) represent a diversity of
17 those fields;

18 (III) are appropriate for member-
19 ship on the Council solely on the basis
20 of established records of distinguished
21 service; and

22 (IV) collectively represent the
23 views of agricultural research and sci-
24 entific leaders in all regions of the
25 United States; and

1 (ii) 12 stakeholders shall be distin-
 2 guished members of the public, as deter-
 3 mined by the Secretary, including—

4 (I) representatives of agricultural
 5 organizations and industry; and

6 (II) individuals with expertise in
 7 the environment, subsistence agri-
 8 culture, energy, food and nutrition,
 9 and human health and disease.

10 (3) TERM.—The members of the Council shall
 11 serve staggered, 4-year terms, as determined by the
 12 Secretary.

13 (4) MEETINGS.—The Council shall meet at the
 14 call of the Director and the Secretary, but not less
 15 often than annually.

16 (5) CHAIRPERSON AND VICE CHAIRPERSON.—
 17 The Council shall elect a Chairperson and Vice
 18 Chairperson from among the members of the Coun-
 19 cil.

20 (6) DUTIES.—The Council shall—

21 (A) assist the Director in—

22 (i) establishing research priorities of
 23 the Institute; and

1 (ii) reviewing, judging, and maintain-
2 ing the relevance of the programs of the
3 Institute;

4 (B) review all proposals approved by the
5 scientific committees established under section
6 5(a)(1) to ensure, to the maximum extent prac-
7 ticable, that the purposes of this Act are being
8 met; and

9 (C) through the meetings described in
10 paragraph (4), provide an interface between sci-
11 entists and stakeholders to ensure, to the max-
12 imum extent practicable, that the Institute is
13 coordinating national goals with realistic sci-
14 entific opportunities.

15 (e) DIRECTOR.—

16 (1) IN GENERAL.—The Institute shall be head-
17 ed by a Director, who shall be an individual who
18 is—

19 (A) a distinguished scientist; and

20 (B) appointed by the President (after tak-
21 ing into consideration recommendations pro-
22 vided by the Council), by and with the advice
23 and consent of the Senate.

24 (2) TERM.—The Director shall serve for a sin-
25 gle, 6-year term.

1 (3) COMPENSATION.—The Director shall re-
2 ceive basic pay at the rate provided for level II of
3 the Executive Schedule under section 5513 of title
4 5, United States Code.

5 (4) SUPERVISION.—The Director shall report
6 directly to the Secretary.

7 (5) AUTHORITY AND RESPONSIBILITIES OF DI-
8 RECTOR.—

9 (A) IN GENERAL.—Except as otherwise
10 specifically provided in this Act, the Director
11 shall—

12 (i) exercise all of the authority pro-
13 vided to the Institute by this Act (includ-
14 ing any powers and functions delegated to
15 the Director by the Council);

16 (ii) in consultation with the Council,
17 formulate programs in accordance with
18 policies adopted by the Institute;

19 (iii) establish committees and offices
20 within the Institute in accordance with sec-
21 tion 5;

22 (iv) establish procedures for the peer
23 review of research funded by the Institute;

1 (v) establish procedures for the provi-
2 sion and administration of grants by the
3 Institute in accordance with this Act;

4 (vi) assess the personnel needs of ag-
5 ricultural research in the areas supported
6 by the Institute, and, if determined to be
7 appropriate by the Director or the Sec-
8 retary, for other areas of food and agricul-
9 tural research; and

10 (vii) cooperate with the Council to
11 plan programs that will help meet agricul-
12 tural personnel needs in the future, includ-
13 ing portable fellowship and training pro-
14 grams in fundamental agricultural re-
15 search and fundamental science.

16 (B) FINALITY OF ACTIONS.—An action
17 taken by the Director in accordance with this
18 Act (or in accordance with the terms of a dele-
19 gation of authority from the Council) shall be
20 final and binding upon the Institute.

21 (C) DELEGATION AND REDELEGATION OF
22 FUNCTIONS.—

23 (i) IN GENERAL.—Except as provided
24 in clauses (ii) and (iii), the Director may,
25 from time to time and as the Director con-

1 siders to be appropriate, authorize the per-
 2 formance by any other officer, agency, or
 3 employee of the Institute of any of the
 4 functions of the Director under this Act,
 5 including functions delegated to the Direc-
 6 tor by the Council.

7 (ii) POLICYMAKING FUNCTIONS.—The
 8 Director may not redelegate policymaking
 9 functions delegated to the Director by the
 10 Council.

11 (iii) CONTRACTS, GRANTS, AND
 12 OTHER ARRANGEMENTS.—The Director
 13 may enter into contracts and other ar-
 14 rangements, and provide grants, in accord-
 15 ance with this Act—

16 (I) only with the prior approval
 17 of the Council or under authority del-
 18 egated by the Council; and

19 (II) subject to such conditions as
 20 the Council may specify.

21 (iv) REPORTING.—The Director shall
 22 promptly report each contract or other ar-
 23 rangement entered into, each grant award-
 24 ed, and each other action of the Director
 25 taken, under clause (iii) to the Committee

1 on Agriculture, Nutrition, and Forestry of
 2 the Senate and the Committee on Agri-
 3 culture of the House of Representatives.

4 (6) STATUS ON COUNCIL.—

5 (A) IN GENERAL.—The Director shall be
 6 an ex officio member of the Council.

7 (B) COMPENSATION AND TENURE.—Ex-
 8 cept with respect to compensation and tenure,
 9 the service of the Director on the Council shall
 10 be coordinated with the service of other mem-
 11 bers of the Council.

12 (C) VOTING; ELECTION.—The Director
 13 shall be—

14 (i) a voting member of the Council;
 15 and

16 (ii) eligible for election by the Council
 17 as Chairperson or Vice Chairperson of the
 18 Council.

19 (7) STAFF.—

20 (A) IN GENERAL.—Subject to this para-
 21 graph, the Director shall recruit and hire such
 22 senior staff and other personnel as are nec-
 23 essary to assist the Director in carrying out
 24 this Act.

1 (B) SENIOR STAFF.—Each individual hired
2 as senior staff of the Director shall—

3 (i) be a highly accomplished scientist,
4 as determined by the Director;

5 (ii) be recruited from the active sci-
6 entific community; and

7 (iii) be appointed and serve on the
8 basis of 4-year, rotating appointments.

9 (C) TEMPORARY STAFF.—Staff hired by
10 the Director under this paragraph may include
11 scientists and other technical and professional
12 personnel hired for limited terms, or on tem-
13 porary bases, including individuals on leave of
14 absence from academic, industrial, or research
15 institutions to work for the Institute.

16 (D) COMPENSATION.—

17 (i) IN GENERAL.—Except as provided
18 in clause (ii), subject to such policies as
19 the Council shall periodically prescribe, the
20 Director may fix the compensation of staff
21 hired under this paragraph without regard
22 to the provisions of chapter 51 and sub-
23 chapter III of chapter 53 of title 5, United
24 States Code, relating to classification of
25 positions and General Schedule pay rates.

1 (ii) MAXIMUM RATE OF PAY.—The
 2 rate of pay for an individual hired under
 3 this paragraph shall not exceed the rate
 4 payable for level V of the Executive Sched-
 5 ule under section 5316 of title 5, United
 6 States Code.

7 (8) REPORTING AND CONSULTATION.—The Di-
 8 rector shall—

9 (A) periodically report to the Secretary
 10 with respect to activities carried out by the In-
 11 stitute; and

12 (B) consult regularly with the Secretary to
 13 ensure, to the maximum extent practicable,
 14 that—

15 (i) research of the Institute is relevant
 16 to agriculture in the United States and
 17 otherwise serves the national interest; and

18 (ii) the research of the Institute sup-
 19 plements and enhances, and does not re-
 20 place, research conducted or funded by—

21 (I) other agencies of the Depart-
 22 ment;

23 (II) the National Science Foun-
 24 dation; or

1 (III) the National Institutes of
2 Health.

3 **SEC. 5. COMMITTEES AND OFFICES OF INSTITUTE.**

4 (a) STANDING SCIENTIFIC COMMITTEES.—

5 (1) IN GENERAL.—The Director may establish
6 such number of standing scientific committees with-
7 in the Institute as the Director determines to be ap-
8 propriate.

9 (2) COMPOSITION.—A standing scientific com-
10 mittee established under paragraph (1) shall consist
11 of such members of the Council appointed under sec-
12 tion 4(d)(2)(B)(i) as the Director may select.

13 (3) TERM.—Members of a standing scientific
14 committee established under paragraph (1) shall
15 serve for staggered, 4-year terms, as determined by
16 the Director.

17 (4) REVIEW OF PROPOSALS.—

18 (A) IN GENERAL.—A standing scientific
19 committee shall apply rigorous merit review to
20 research proposals received by the Institute to
21 ensure, to the maximum extent practicable, that
22 research funded by the Institute is scientifically
23 of high quality.

24 (B) DETERMINATION OF SCIENTIFIC
25 MERIT.—A research proposal received by the

1 Institute and reviewed by a standing scientific
2 committee under subparagraph (A) shall be—

3 (i) assigned a score based on the sci-
4 entific merit of the proposal, as determined
5 by the standing scientific committee; and

6 (ii) if approved by the standing sci-
7 entific committee, forwarded, along with
8 the score, to the Council for final review.

9 (C) DECLINATION OF PROPOSALS.—If the
10 Council determines that a research proposal
11 forwarded under this paragraph does not meet
12 standards of scientific review established by a
13 standing scientific committee or any similar
14 standard established by the Director, the Coun-
15 cil shall decline to recommend the research pro-
16 posal for funding by the Institute.

17 (5) AD HOC REVIEW MEMBERS.—The Director
18 may supplement a standing scientific committee
19 under this subsection with 1 or more ad hoc review-
20 ers in a case in which a research proposal received
21 by the Institute requires specialized knowledge not
22 represented on that or any other standing scientific
23 committee.

24 (b) OFFICES.—

1 (1) OFFICE OF ADVANCED SCIENCE AND APPLI-
2 CATION.—

3 (A) ESTABLISHMENT.—The Director shall
4 establish within the Institute an Office of Ad-
5 vanced Science and Application (referred to in
6 this paragraph as the “Office”).

7 (B) DUTIES.—The Office shall—

8 (i) closely monitor national needs and
9 advances in research with the goal of iden-
10 tifying pressing problems for which solu-
11 tions are realistically achievable through
12 research;

13 (ii) coordinate creative talent from di-
14 verse disciplines to bridge potential gaps
15 between fundamental agricultural research
16 and high-priority, practical needs; and

17 (iii) recommend to the Director ways
18 in which existing fundamental agricultural
19 research may be applied to the most ur-
20 gent problems addressed by the Institute.

21 (C) STAFF.—

22 (i) IN GENERAL.—The Office shall
23 employ a small, focused staff of rotating
24 experts in science and agriculture.

1 (ii) TALENT POOL; TERM.—Primary
2 staff of the Office—

3 (I) shall be appointed from the
4 ranks of active scientists; and

5 (II) shall serve terms of not to
6 exceed 3 years.

7 (D) INTENSIVE STUDY GROUPS.—The Of-
8 fice shall—

9 (i) focus primarily on the most urgent
10 problems addressed by the Institute; and

11 (ii) assemble such intensive study
12 groups as are necessary to address those
13 problems.

14 (E) REPORTS.—The Office shall submit to
15 the Director and the Council periodic reports
16 that—

17 (i) describe the activities being carried
18 out by the Office; and

19 (ii) recommended new research prior-
20 ities for the Office, as appropriate.

21 (2) OFFICE OF SCIENTIFIC ASSESSMENT AND
22 LIAISON.—

23 (A) ESTABLISHMENT.—The Director shall
24 establish within the Institute an Office of Sci-

entific Assessment and Liaison (referred to in this paragraph as the “Office”).

(B) DUTIES.—The Office shall—

(i) monitor the effectiveness of the scientific expenditures by the Institute;

(ii) oversee the coordination of research efforts of the Institute with those of other programs;

(iii) assess the effectiveness of programs of the Institute by evaluating—

(I) the quality of the science funded by the Institute, using such tools as are readily available; and

(II) the contributions of the Institute to the national research effort, including ways in which the Institute collaborates and cooperates with the Department and with other Federal agencies; and

(iv) encourage cooperative approaches among various research agencies within the Federal Government.

(3) OFFICE OF SCIENTIFIC PERSONNEL.—

(A) ESTABLISHMENT.—The Director shall establish within the Institute an Office of Sci-

entific Personnel (referred to in this paragraph as the “Office”).

(B) DUTIES.—The Office shall—

(i) cooperate with scientific and agricultural experts to assess—

(I) the number of scientists in agriculture and related fields in the United States; and

(II) how many additional scientists in agriculture and related fields are needed to meet the purposes of this Act; and

(ii) generate and maintain data that may assist the Director and the Council in planning appropriate Institute fellowship and training programs.

(4) ADDITIONAL OFFICES.—The Director may establish such additional offices within the Institute as the Director or the Council determines to be necessary to carry out the duties of the Institute under this Act.

SEC. 6. DUTIES.

(a) IN GENERAL.—The Institute shall provide competitive, peer-reviewed grants in accordance with section 8(b) to support and promote the highest quality of funda-

1 mental agricultural research, including grants to fund re-
2 search proposals submitted by—

3 (1) individual scientists;

4 (2) research centers composed of a single insti-
5 tution or multiple institutions; and

6 (3) other individuals and entities from the pri-
7 vate and public sectors, including researchers of the
8 Department and other Federal agencies.

9 (b) REPORT TO CONGRESS.—Not later than Decem-
10 ber 31, 2008, and biennially thereafter, the Institute shall
11 submit to the Secretary, the Committee on Agriculture,
12 Nutrition, and Forestry of the Senate, and the Committee
13 on Agriculture of the House of Representatives a com-
14 prehensive report that describes the research funded and
15 other activities carried out by the Institute during the pe-
16 riod covered by the report.

17 **SEC. 7. POWERS.**

18 (a) IN GENERAL.—The Institute shall have such au-
19 thority as is necessary to carry out this Act, including the
20 authority—

21 (1) to promulgate such regulations as the Insti-
22 tute considers to be necessary for governance of op-
23 erations, organization, and personnel;

24 (2) to make such expenditures as are necessary
25 to carry out this Act;

1 (3) to enter into contracts or other arrange-
2 ments, or modifications of contracts or other ar-
3 rangements—

4 (A) to provide for the conduct, by organi-
5 zations or individuals in the United States (in-
6 cluding other agencies of the Department, Fed-
7 eral agencies, and agencies of foreign coun-
8 tries), of such fundamental agricultural re-
9 search, research relating to fundamental
10 science, or related activities as the Institute
11 considers to be necessary to carry out this Act;
12 and

13 (B) at the request of the Secretary, for the
14 conduct of such specific fundamental agricul-
15 tural research as is in the national interest or
16 is otherwise of critical importance, as deter-
17 mined by the Secretary, with the concurrence of
18 the Institute;

19 (4) to make advance, progress, and other pay-
20 ments relating to research and scientific activities
21 without regard to subsections (a) and (b) of section
22 3324 of title 31, United States Code;

23 (5) to acquire by purchase, lease, loan, gift, or
24 condemnation, and to hold and dispose of by grant,
25 sale, lease, or loan, real and personal property of all

1 kinds necessary for, or resulting from, the exercise
2 of authority under this Act;

3 (6) to receive and use donated funds, if the
4 funds are donated without restriction other than
5 that the funds be used in furtherance of 1 or more
6 of the purposes of the Institute;

7 (7) to publish or arrange for the publication of
8 research and scientific information to further the
9 full dissemination of information of scientific value
10 consistent with the national interest, without regard
11 to section 501 of title 44, United States Code;

12 (8)(A) to accept and use the services of vol-
13 untary and uncompensated personnel; and

14 (B) to provide such transportation and subsist-
15 ence as are authorized by section 5703 of title 5,
16 United States Code, for individuals serving without
17 compensation;

18 (9) to prescribe, with the approval of the Comp-
19 troller General of the United States, the extent to
20 which vouchers for funds expended under contracts
21 for scientific or engineering research shall be subject
22 to itemization or substantiation prior to payment,
23 without regard to the limitations of other laws relat-
24 ing to the expenditure and accounting of public
25 funds;

1 (10) to arrange with and reimburse the Sec-
 2 retary, and the heads of other Federal agencies, for
 3 the performance of any activity that the Institute is
 4 authorized to conduct; and

5 (11) to enter into contracts, at the request of
 6 the Secretary, for the carrying out of such specific
 7 agricultural research as is in the national interest or
 8 otherwise of critical importance, as determined by
 9 the Secretary, with the consent of the Institute.

10 (b) TRANSFER OF RESEARCH FUNDS OF OTHER DE-
 11 PARTMENTS OR AGENCIES.—Funds available to the Sec-
 12 retary, or any other department or agency of the Federal
 13 Government, for agricultural or scientific research shall
 14 be—

15 (1) available for transfer, with the approval of
 16 the Secretary or the head of the other appropriate
 17 department or agency involved, in whole or in part,
 18 to the Institute for use in providing grants in ac-
 19 cordance with the purposes for which the funds were
 20 made available; and

21 (2) if so transferred, expendable by the Insti-
 22 tute for those purposes.

23 (c) RESTRICTION ON ACTIVITIES.—The Institute—

24 (1) shall be a grant-making entity only; and

25 (2) shall not—

1 (A) conduct fundamental agricultural re-
2 search or research relating to fundamental
3 science; or

4 (B) operate any laboratory or pilot facility.

5 **SEC. 8. BUDGET CONSIDERATIONS.**

6 (a) BUDGETARY MANAGEMENT GOALS.—The Direc-
7 tor, in coordination with the Secretary, shall manage the
8 budget of the Institute to achieve the goals of—

9 (1) providing sufficient funds over a period of
10 time to achieve the purposes of this Act;

11 (2) fostering outstanding scientific talent, and
12 directing that talent toward work on issues relating
13 to agriculture; and

14 (3) adequately reimbursing grant-receiving in-
15 stitutions for costs to encourage the pursuit of agri-
16 culturally-related research.

17 (b) BUDGETARY GUIDELINES FOR GRANTS.—

18 (1) IN GENERAL.—To achieve the goals de-
19 scribed in subsection (a), the Institute shall, to the
20 maximum extent practicable, ensure that grants
21 awarded for each fiscal year comply with the guide-
22 lines described in paragraphs (2) and (3).

23 (2) PROJECT GRANTS.—With respect to project
24 grants, to the maximum extent practicable—

1 (A) the Institute shall award approxi-
2 mately 1,000 new project grants annually;

3 (B) the average project grant amount, in-
4 cluding overhead, shall be approximately
5 \$225,000 for each fiscal year, as adjusted in ac-
6 cordance with the Consumer Price Index for all-
7 urban consumers, United States city average,
8 as published by the Bureau of Labor Statistics;

9 (C) a project grant shall be provided for a
10 maximum period of 5 years, with an average
11 award duration of 3.5 years;

12 (D) the Institute shall require the recipi-
13 ents of a project grant to submit appropriate
14 reports on research carried out using funds
15 from the project grant; and

16 (E) the Institute shall provide such num-
17 ber of training project grants as the Director or
18 the Institute determines to be appropriate.

19 (3) MULTIDISCIPLINARY GRANTS.—With re-
20 spect to multidisciplinary grants, to the maximum
21 extent practicable—

22 (A) for each of fiscal years 2008 through
23 2011, the Institute shall provide 10 multidisci-
24 plinary grants;

1 (B) for fiscal year 2012 and subsequent
2 fiscal years, the Institute shall provide multi-
3 disciplinary grants to fund not fewer than 40
4 research centers, on the conditions that—

5 (i) sufficient funds are available; and

6 (ii) a sufficient number of qualified
7 research proposals are received;

8 (C) the research centers provided multi-
9 disciplinary grants may be composed of a single
10 institution or multiple institutions;

11 (D) the average multidisciplinary grant
12 amount, including overhead, shall be approxi-
13 mately \$3,000,000 for each fiscal year, as ad-
14 justed in accordance with the Consumer Price
15 Index for all-urban consumers, United States
16 city average, as published by the Bureau of
17 Labor Statistics;

18 (E) a multidisciplinary grant shall be pro-
19 vided for a maximum period of 5 years;

20 (F) in the aggregate, multidisciplinary
21 grants provided under this paragraph for a fis-
22 cal year shall represent approximately 15 per-
23 cent of the total grants provided by the Insti-
24 tute for the fiscal year, on the condition that a

1 sufficient number of qualified research pro-
2 posals are received for the fiscal year; and

3 (G) merit review of the research proposal
4 relating to the multidisciplinary grant is con-
5 ducted to ensure, to the maximum extent prac-
6 ticable, that only quality research proposals are
7 funded.

8 (c) INDIRECT COSTS.—As part of a project grant or
9 multidisciplinary grant provided under this Act, the Insti-
10 tute shall pay indirect costs of conducting research, in-
11 cluding the costs of overhead, to the recipient of the grant
12 at a rate that is not less than any standard negotiated
13 rate applicable to similar grants made by the National In-
14 stitutes of Health or the National Science Foundation, as
15 of the date of enactment of this Act, as determined by
16 the Secretary.

17 **SEC. 9. FUNDING.**

18 (a) IN GENERAL.—Of the funds of the Commodity
19 Credit Corporation, the Secretary shall use to carry out
20 this Act—

21 (1) for fiscal year 2008, \$245,000,000 for
22 project grants, of which not more than \$20,000,000
23 shall be made available for administrative expenses
24 incurred by the Institute;

1 (2) for fiscal year 2009, \$515,000,000, of
2 which—

3 (A) not less than \$450,000,000 shall be
4 made available for project grants;

5 (B) not less than \$30,000,000 shall be
6 made available for multidisciplinary grants; and

7 (C) not more than \$35,000,000 shall be
8 available for administrative expenses incurred
9 by the Institute;

10 (3) for fiscal year 2010, \$780,000,000, of
11 which—

12 (A) not less than \$675,000,000 shall be
13 made available for project grants;

14 (B) not less than \$60,000,000 shall be
15 made available for multidisciplinary grants; and

16 (C) not more than \$45,000,000 shall be
17 made available for administrative expenses in-
18 curred by the Institute;

19 (4) for fiscal year 2011, \$935,000,000, of
20 which—

21 (A) not less than \$800,000,000 shall be
22 made available for project grants;

23 (B) not less than \$90,000,000 shall be
24 made available for multidisciplinary grants; and

1 (C) not more than \$45,000,000 shall be
2 made available for administrative expenses in-
3 curred by the Institute; and

4 (5) for fiscal year 2012 and each fiscal year
5 thereafter, \$966,000,000, of which—

6 (A) not less than \$800,000,000 shall be
7 made available for project grants;

8 (B) not less than \$120,000,000 shall be
9 made available for multidisciplinary grants; and

10 (C) not more than \$46,000,000 shall be
11 made available for administrative expenses in-
12 curred by the Institute.

13 (b) LIMITATION.—For fiscal year 2012 and each sub-
14 sequent fiscal year, administrative expenses paid by the
15 Institute shall not exceed 5 percent of the total expendi-
16 tures of the Institute for the fiscal year.

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